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SOVIET INTELLIGENCE ACTIVITY FROM THE 1960s TO THE REGIME CHANGE IN THE SECURITATE'S COUNTERINTELLIGENCE FILES

Abstract

A number of works has already been published on the activities of the "contraspionaj tările socialiste", an organizational unit that performed a specific task in the Ceauşescu era's counterintelligence. Noteworthy works on organizational history have been published: in the Florian Banu, Securitatea 1948-1989, Monografia[1] edited by Liviu Țăranu. As its title indicates, it is a monographic work on the organizational history of the Securitate as a whole, in the framework of which, a short and concise summary of the organizational history of counterintelligence against socialist states can be read. Sorin Aparaschivei[2] prepared a more detailed study on organizational history, by analysing the unit's activities. In their monographic works, the researchers Remus Ioan Stefureac, Mircea Stan and Tudor Pacurariu examined the role of the Securitate in preventing the activities of the Soviet intelligence services against the socialist states.[3]

In the present study, we primarily examine the fate of Romanians, in the operation of the mentioned organizational unit, based on the documents of fond 0110 in CNSAS, a unit against socialist states. In the course of my previous research, it seemed that the aforementioned organizational unit did not distinguish between citizens coming from or not coming from the Soviet Union, during its prevention activities. Our research hypothesis are; whether the procedure against the mentioned persons changed in the period from the 1960s to the regime change in December. At the same time, we were also curious about the means and manners in which the Romanians were treated by the Securitate officers.

Keywords: Securitate, 1958-1989, Romanian counterintelligence, Soviet active operations, Bessarabian Romanians**.**

1 BANU, Florian – ȚĂRANU, Liviu: *Securitatea 1948-1989, Monografie* vol I., Editura Cetatea de Scaun, Târgoviște, 2016, p. 228.

2 APARASCHIVEI, Sorin: UM 0110 – Contraspionaj ţari socialiste (anti-KGB). Infiintarea si primi ani (1963-1973). [UM 0110 – Counterespionage of the socialist countries (anti-KGB). The establishment and the first years (1963-1973)] *Historia*, n.d.

3 STEFUREAC, Remus Ioan: *Conflictul secret din spatele scenei România versus Rusia. 50 de ani de realități, mituri și incertitudini.* [The secret conflict behind the scenes Romania versus Russia. 50 years of realities, myths and uncertainties.] Editura RAO, București, 2015, p. 185; STAN, Mircea: *Programul de masuri active al KGB-GRU impotriva Romaniei (1964-1989).* [The program of active measures of the KGB-GRU against Romania (1964-1989)]. Editura Militara, Bucuresti, 2021; PACURARIU, Tudor: Planul Nistru-1989, *Implicarea G.R.U. in Revolutia din Decembrie,* Editura Evenimnetul si Capital, Bucuresti, 2020.

The political framework of the Soviet-Romanian relationship from 1958 to 1989

Romania's situation in the period between 1948 and 1958 depended directly on the foreign and security policy of the Soviet Union, so in the early years of the Cold War, Moscow's relationship with the West was dominated by the communist ideological approach, which was faithfully copied by the Romanian party. The guarantee of the Soviet Union's own security in the first years after the Second World War was the sovietisation of the territories made into vassal states, which effectively transferred the right of decision in the political, social, economic and military fields to the Soviet Union. In the first decade after the Second World War, Bucharest was a loyal ally of Moscow, then it changed its direction almost visibly and started building its own line of communism. The wind of change began in 1955, as the Soviet Union concluded a peace treaty with Austria. Taking advantage of the spirit of the Geneva summit, which somewhat eased East-West relations, the first secretary of the Communist Party of Romania Mr. Gheorghe Gheorghiu-Dej began negotiations with Moscow in 1955 to withdraw the Soviet army, but the negotiations proved unsuccessful. However, in 1957, due to the new orientation of Khrushchev's foreign policy, which included the 1956 Suez Crisis, in order to strengthen his political strategy of "peaceful coexistence", and the Soviet leader's desire to restructure his military budget, the Soviet and Romanian leadership signed the Soviet agreement on the temporary stationing of troops in Romania. Finally, the withdrawal of the Soviet military formations took place in June-July 1958. Externally, the withdrawal of the Soviet army made it easier for Romania to move away from Moscow in the future, but at the same time, on a domestic political level, the party leadership, headed by Gheorghiu-Dej, ordered another wave of arrests and tightened ideological control, thus proving its ideological commitment to Moscow.[4]

The party leadership in Bucharest persistently opposed Moscow's aspiration to integrate Romania into the CSTO, to turn it into an agricultural hinterland, a supplier of raw materials to the Soviet Union and other socialist countries. Disagreements arose between the Soviet Union and Romania within the Warsaw Pact from the beginning of the 1960s, for example, in the early 1960s in Moscow, the issue related to the problems of agriculture, according to which Romania should have become an agricultural state, or the questioning of the decision to build the Berlin Wall are just some of those among topics that increased the tension between the Soviet Union and Romania. The events related to the Cuban crisis and the rejection of the Soviet monolithic management concept further accelerated Romania's independence policy within the Warsaw Pact.[5]

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4 GIURESCU, Dinu C. – ŞTEFĂNESCU, Alexandru: Ilarion Ţiu, *România şi comunismul. O istorie ilustrată.* [Romania and communism. An illustrated history.] Editura Corint, Bucureşti, 2010, pp. 149-150; CONSTANTINIU, Florin: *O istorie sinceră a poporului român*. [An honest history of the Romanian people.] Editura Univers Enciclopedic, Bucureşt, 2011.

5 GARTHOFF, Raymond: *When and Why Romania Distanced Itself from the Warsaw Pact*. CWIHP Bulletin, 1995/5, p. 111.

In parallel with the mediating role in the Soviet-Chinese diplomatic dispute, the party leadership in Bucharest announced in April 1964, the reduction of Soviet influence.[6] Khrushchev's removal from power did not bring significant changes in Romanian-Soviet diplomatic relations.

With Ceauşescu's rise to power in 1965, Soviet-Romanian relations further sharpened, as the new Romanian party general secretary already then suggested that the Warsaw Pact should be reformed and the principle of cadre rotation should be applied.

Before the invasion of Prague in 1968, Brezhnev's intention to make peace also fell through, as historian Mihai Retegan notes from the consultative meeting of the communist parties held in Budapest in February 1968, the RKP leadership signalled to Moscow by leaving in protest that it would not accept it as the primary negotiating forum of the initiated international communist movement. It did not accepted the relevant proposals, because they violated the principle of national sovereignty and independence (according to the Romanian concept). Furthermore, this action pointed out, as the historian Mihai Retegan also stated, that Brezhnev, who started a new course with the aim of recovering/redoing Khrushchev's concessions, did not make it possible to transform the hard image of the Communist Party of the Soviet Union.[7] The Soviet Union manifested itself in this direction in August 1968, when, alongside the Soviets, the Bulgarian, Polish, Hungarian and GDR military units marched into Czechoslovakia. The entry was thoroughly exploited by Ceauşescu, so the event became a significant moment in the history of misunderstandings between the two states.

A serious “break of bread” (break in the relations) took place in 1971, when, after the Romanian Party General Secretary's visit to the People's Republic of China and other Asian countries, the Romanian Ministry of Foreign Affairs issued a firm statement, according to which the Soviet Union's attitude towards Romania was more negative than towards other member states, and although a Romanian Consulate General was opened in Kiev in January 1971, and in March 1972 a consular agreement was signed between Romania and the Soviet Union, relations between the two states still did not improve.

Finally, a sort of Soviet-Romanian diplomatic status quo emerged following the 1976 meeting between Brezhnev and Ceauşescu. However, Romania's real economic situation would not have required this.

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6 A thorough analysis of the "April Declaration" can be found in the work of Mihai CROITOR: *In umbra Kremlinului. Gheorghe Gheorghiu-Dej si geneza declaratiei din aprilie 1964.* [In the shadow of the Kremlin. Gheorghe Gheorghiu-Dej and the genesis of the April 1964 declaration.] Editura Mega, Cluj-Napoca, 2012.

7 RETEGAN, Mihai: *1968. Din primavara pana in toamna.* [1968. From spring to autumn.] RAO, Bucuresti, 2015, pp. 95-96.

As a result of the previously launched mass industrialization and the fact that Romania faced successive economic and financial crises in the Western world in the '80s and the Ceauşescu regime, which was struggling to pay off its foreign debt, despite the less than friendly relationship, asked for Soviet help in the supply of energy resources. In order to ensure this practically also meant the fall of the above-proclaimed independence and sovereignty.

The momentum of Ceauşescu's special policy finally wears off in the second half of the 1980s, as the Helsinki agreements adopted in 1975, whose human rights clauses became primary diplomatic requirements in the 1980s, and this situation made Romanian diplomacy extremely vulnerable.[8] Thus, France, which previously ensured economic and political dominance, closed itself to Romania, especially after the "Afacearea Tănase".[9] Diplomatic relations with the USA developed in a similar way, since the diplomatic groping towards the United States of America that began in the 1960s finally ended with success in 1975, as Romania received the "biggest trade discount" and this right was regularly extended until 1988, however, at the time of signing, Romania also undertook to ensure political freedoms.[10] This political condition, that is, European and human rights, which the Romanian political elite demanded so much after August 1968, was not respected, and in the 1980s they significantly limited the foreign policy activities of the regime and ultimately contributed to the deterioration of its international reputation, and finally the led to the collapse of the dictatorship.

In the 1980s, the Soviet Union remained the last refuge for the Socialist Republic of Romania (SRR), as it was the owner of basic raw material resources,[11] the closest state within the Warsaw Pact and also a great power, to which it could turn based on a common ideological approach.

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8 For details of the impact of the Helsinki Accords on the Ceauşescu regime, see: ALDEA, Patriciei González: *Helsinki 1975. Începutul sfârşitului. Degradarea regimului din România şi singularitatea lui în blocul de Est (1975-1990)*. [Helsinki 1975. The beginning of the end. The degradation of the regime in Romania and its singularity in the Eastern bloc (1975-1990)]. Curtea Veche, Bucureşti, 2008.

9 In 1982, Romanian intelligence was tasked with killing dissidents Virgil Tanase and Pauk Goma. Matei Haiducu, who was entrusted with the execution of the operation, did not carry out the order, and even reported to the DST for the French countermeasures, and thus caused a serious loss to the Romanian intelligence agencies of the time and later eroded the remaining credibility of the Ceauşescu regime in the West with his statements on public TV.

10 The renewal of the Romanian clause went through three stages: in the first, attention was directed to the emigration of the Jews, in the second, the emphasis was placed on both the persecution of the Hungarians and the emigration of the Jews. Thirdly, the case was about Bucharest's policy regarding Hungarians and religions not recognized as cults. For details see: HARRINGTON, Joseph F.: *Relaţii romano-americane: 1940-1990.* [Romanian-American relations: 1940-1990.] Editura Institutul European, 2002, p. 557.

11 XENOFONTOV, Ion Valer: *Romania in sistemul de sceuritatet europeana in secolul XX – inceputul secolului XXI.* [Romania in the European security system in the 20th century - the beginning of the 21st century.] USM, Chisinau, 2021, p. 125.

Ceauşescu, however, lost the mediating role he played in international diplomacy before 1985 when Gorbachev came to power and then with the announcement of perestroika and glasnost, Romania became completely isolated from the West, and in contrast to Gorbachev's soft power ideas, it manifested itself as a specific post-Stalinist dictatorship.[12] However, in practice, the compelling reality of Soviet-Romanian bilateral economic cooperation remained unavoidable for the Romanian dictator. The economic and diplomatic rigidity led to enormous social tension and finally, as is known, in December 1989 revolutionary events swept away the dictatorship marked by Ceauşescu.

The influence of Soviet-Romanian political relations on the state security organization

After the brief overview of neighbourhood policy, which was far from cloudless from the 1960s to the regime change, it is worthwhile to review the specialized body of the security structures of the Romanian state apparatus with the aim of to what extent the relationship between the two states is reflected in the state security structures.

On the basis of Decree No. 141 on the "Organization and Operation of the Ministry of the Interior" issued in 1963, the previous organizational structure of the Securitate changed, and with it a professional-methodological change took place, moving from mass prevention to a preventive procedure, in the framework of the Counter-Espionage Directorate. The department dealt with, among other things, Council of Mutual Economic Assistance (CMEA) objects and delegations sent to Western countries, as well as Western delegations arriving in the Socialist Republic of Romania.[13] It can already be clearly demonstrated here that the Securitate also dealt with socialist states behind the Iron Curtain.

As early as 1963, operative groups of 1-2 people worked in the "socialist counter-espionage sector" at the county inspectorates, except for a few counties where the current operational problems occurred in a greater proportion (Cluj, Constanta, Timișoara), where this number was increased to 5 officers. Starting in 1968, as a result of the Soviet military invasion of Czechoslovakia, the number of counterintelligence officers dealing with the "special problem" (anti-Soviet) increased significantly. In the summer of 1973, the newly reorganized Intelligence Unit against Socialist Countries, now designated UM 0920/A, had the priority task of the "special problem". This also meant development and the strengthening of this area. Within UM 0920/A, it had a total of 16,350 databases, that is, this number of persons attracted the attention of the organizational unit, of which 920 persons were under preliminary control at that time.

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12 Ibid. 128.

13 BANU – ȚĂRANU 2016, p. 116.

In order to monitor persons subject to “Special Problem” (anti-Soviet) activities, the Counterintelligence Directorate organized its own network of agents for the counterintelligence unit of the socialist countries (UM 0920/A.), agents who were *"recruited under circumstances that required special care in order to prevent possible disclosures in relation to selection, control and maintenance*”. Thus, in July 1973, the UM 0920/A unit had 708 agents.[14]

From December 15, 1978, another reorganization took place, which could also be attributed to Mr. Pacepa's escape, so the materials addressed to the former 0920/A military unit were forwarded to the unit code UM 0110 within the State Secretariat for State Security (DSS), the said unit was a new to its leader, Colonel Constatin Iosif. According to the operating instructions of the DSS and the military unites in accordance with the provisions contained in its operating regulations, the 0110 departments, which operated within the county safety inspectorates, had the following scope of influence and responsibilities:

The Securitate's counter-espionage bodies had to prevent and eradicate the hostile activities of foreign intelligence agencies with the Romanian party and state policy, which in practice meant action against cases of espionage, treason, ideological diversion, and subversion. Preventive measures were applied primarily to diplomats and embassy officials, military attachés, press correspondents, and economic representatives of socialist states.[15] Counter-espionage was also tasked with revealing the information sources used by foreign embassies, the contact-building methods and procedures they used, and the incitement of Romanian citizens into hostile activities.[16] Based on these, all Romanian citizens who came into contact with diplomatic, commercial, or cultural representatives of any socialist state became suspect. The 0110 (county agencies) territorial units of the counter-espionage were responsible for the prevention of hostile activities carried out by the journalists of the "Făgăraș" (socialist) countries, as well as the collection of information about them, as well as the foreigner who was previously involved in the management of agents of the mentioned states and mixed-owned companies the control of persons and even their descendants, as well as the operative processing of persons visiting socialist countries, and finally the prevention of the introduction and distribution of defamatory printed materials and audio materials by the citizens of the “Făgăraș” countries into the territory of Romania. It was also necessary to collect data on the representatives and delegations of cultural, scientific and artistic institutions from socialist states. A register was kept of foreigners who sought to establish permanent private relations with Romanian citizens.

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14 APARASCHIVEI n.d.

15 In dosarul cu cota FCX 0001132 socialist states were codified. The problem of socialist states bearing the code name “Făgăraș”, CAER was “Poiana Rusca”, USSR – “Rodna”, People's Republic of Hungary – “Lotru”, R.P. Poland – “Godeanu”, R.S. Czechoslovakia – “Bucegi”, R.P. Bulgaria – “Ciucas”, R.D. Germany – 'Tarcau', R.P. Cuba – 'Vladeasa', R.S.F. Yugoslavia – 'Semenic', R.P.: Albania – 'Zarand', R.P.D. Vietnam – 'Almaj', R.P.D. Korea – 'Gilau', R.P. China – 'Birgau', R.P. Mongolia – 'Caliman'. The use of these pseudonyms was introduced from January 1981. See the mentioned note on page 83.

16 ACNSAS FCX 0001132, p. 78.

The above-mentioned 0110 anti-espionage territorial units were tasked with identifying and preventing hostile actions by citizens, doctoral students and teachers from socialist countries studying at the universities of the Socialist Republic of Romania.

In accordance with the relevant regulations, quarterly summaries were prepared from the follow-up of foreign tourists, as well as statistical analyses of the data of Romanian tourists traveling to the mentioned countries.

The reports from the 0110 area agencies included: completed cases in each work area/line – which were detailed with reference to what the activity consisted of, the operational measures taken by Counterintelligence on the case, the manner in which the case was closed and the result achieved.[17] The information needs defined in the 1960s and 1970s did not change significantly even in the 1980s. The scope of those to be observed and processed are still lecturers from foreign higher education institutions, doctoral students who in some form came into contact with diplomatic missions, that is, a preliminary inspection file (dosar de urmarire informativa – DUI) was opened for all university citizens who were suspected of gathering information, the others they just watched. For the purpose of neutralization and prevention, the obtained information materials were analysed quarterly, or as needed, and appropriate measures were taken depending on the obtained information. Based on the aforementioned regulations, the heads of the central and county divisions of the Securitate (separate organization 0110), as well as the heads of the central and county units of the Anti-Espionage Directorate, were responsible for its implementation.

The officers of the 0110 organizational units had to strive to identify and document in time the persons suspected of assassination, terrorist-subversive activities, as well as the identification and documentation of agents from foreign reactionary organizations and their activities, as well as the documentation of the aforementioned activities with photographic technology/film cameras in the early stages and through the records made during the control procedure. All cases in which completion was expected were submitted to the central unit for approval.[18] That is why it is easy to track anti-system cases in archival sources, since every case that was successfully investigated had to be reported to and authorized by the central bodies several times.

The socialist member states of "Poiana Rusca", that is CMEA, were subjected to similar procedures, so that, for example, commercial and economic representatives arriving in Romania, as well as heads of navigation and transport agencies, as well as representatives of commercial companies and heads of branches, were put through an informative preliminary inspection dossier, for processing as soon as they occupied their station.[19] Other persons with diplomatic status were subject to mandatory information surveillance.

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17 ACNSAS FCX 0001132, pp. 79-81.
18 ACNSAS FCX 0001132, pp. 74-76.
19 ACNSAS FCX 0001132, p. 65.

Actions against state security were neutralized, and the emphasis was placed on the use of appropriate legends to carry out the secret investigation and, in the course of exploiting the situation, to obtain data on the commission of acts falling under the jurisdiction of the militia, on behaviour violating the status of the person operating in the foreign representation in Romania. The counter-espionage carried out all operational administrative measures, such as the warning, using a suitable legend, and in all cases, the approval of the central unit was unavoidable for any kind of action against the person operating in the foreign representation, closing the case. During the prevention activity against foreign citizens, there was close and thorough coordination between the concerned counties and the centre in Bucharest. The use of special devices at the headquarters and residences of foreigners was based on thorough study and only with the approval of the Minister/Secretary of State.[20]

The management of the professional organization held briefings at the national level, at which the officers were given a detailed briefing on the latest tasks, their solvability, the news and the requirements, etc. Each county 0110 department was obliged to compile an subject matter file on the diplomatic institutions (consular offices, shipping agencies, commercial offices, etc.) operating in its area and located in the territory of the county Securitate inspectorate.[21] In the 1980s, the 0110 prevention agencies were required to finalize cases in cases of foreign nationals who were suspected or proven of active participation in espionage, as well as in cases in which the act was not classified as a crime from operational considerations, only with the agreement and support of the central unit was feasible.

Used by the Romanian counterintelligence agencies against foreign diplomats/citizens, the so-called preventive measures were: positive influence; drawing attention (on the target person); desinformation; expiry; declaration as persona non grata and interruption of travel/stay in the Socialist Republic of Romania; informing the diplomatic representation – through the liaison office of the National Inspectorate of the Militia (Inspectoratul General al Miliţiei – IGM) about what kind of crime is being investigated against the person concerned, notifying the Ministry of Foreign Affairs, in most cases using a “cover” or “legend”, about those that offend the Romanian state and about actions incompatible with the status of a diplomatic representation, and the last form of action was the operative prosecution and the initiation of the investigation.[22]

The counterintelligence unit with the military unit code 0110, as a result of intensive reconnaissance work in the mid-1980s, found out that the Soviet intelligence agencies intensively used economic and commercial facilities to cover diplomatic cadres and agents delegated to the Socialist republic of Romania in order to fulfil their information needs.

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20 ACNSAS FCX 0001132, p. 62v. (verso)
21 ACNSAS FCX 0001132, p. 53.
22 ACNSAS FCX 0001132, p. 49.

During this period, the independent counterintelligence unit of the socialist countries was organized into four divisions, two of which dealt exclusively with the operations of the KGB and the GRU.[23] In 1989, the number of employees of this independent directorate-sized unit was 304.

Bessarabian Romanians in the focus of Romanian counterintelligence (sub lupa Securitatii)

In the 1960s, under problem 200 (problem 200 is the operational name), an operation took place that retrospectively checked all those persons who settled in the old country for various reasons during the Second World War. Thus, for example, the Securitate's county-level bodies checked all over the country those who stayed in Romania between 1945 and 1960 and obtained their citizenship documents in the Socialist Republic of Romania.

According to archival sources, during the inspection, a previous committee[24] operating at the county level in August 1945 (its members were the representatives of the Allied Inspection Committee, the delegates of the Romanian Armistice Committee and the prefect or sub-prefect of the given county), which investigated the situation of those exempted from repatriation and those who applied for it was a committee, its minutes were retrieved and used by Securitate officers in the mid-sixties. In the majority of cases, in 1945, all those who held public office positions, engaged in commercial activities or had a registered company in Romania, teachers, and in cases where the person could prove that he would marry in the near future, were exempted from repatriation.

The number of persons checked per county was several thousand or thousands, as nearly 200 persons were checked only in the city of Găești in Dâmbovița County based on the materials of the previous repatriation committee.[25] In the county seat of Târgoviște, 459 persons were investigated on a similar scale, who were also previously in the register of the repatriation investigation committee and in 1969 these all belonged to the A200 problem area of the Securitate,[26] that is, persons who were considered risky persons according to the Securitate's counterintelligence body. In justified cases, the Securitate was not satisfied with checking the records of its own operative and partner bodies (miliţia), but instead ordered the persons concerned to be interviewed in person and, by definition, had a résumé written by the person concerned in the form of a statement. With the information gathered in this way, they were able to continue the secret inspection even more thoroughly.

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23 BANU – ȚĂRANU 2016, p. 228.

24 For more details on the repatriation of Romanians from Bessarabia and Bukovina, see: Marius Oprea's article: ISTORIA FARA PERDEA In 1945, rusii au negociat cu pistolul pe masa, iar romanii cu inteligenta: un avocat roman a salvat sute de mii de Basarabeni si bucovineni de la deportare. URSS, n.d.

25 ACNSAS Fond FCX 0000968 pp. 41-49.

26 ACNSAS Fond FCX 0000968 pp. 78-109.

This was also the case of Romanian citizen Nicolae Vornicescu, a resident of Valea Mare (Gaest district), who was born in the Soviet Union (more precisely in Russia) in the village of Lozova in 1913. During the inspection, it was established that the named person first arrived at the forest farm in Gaiesti in 1940, even before the Ribbentrop-Molotov Pact. His return to his native village and then his call-up to the Romanian Royal Army took place after the 1941 invasion of Bessarabia.[27] In 1944, he resettled in Gaieste and also worked as a forester until the time of the Securitate investigation in 1965. It is important to note that the repatriation committee set up on the basis of the Soviet-Romanian armistice agreement of September 12, 1944 did not send Vornicescu (born Ciocan) back to Lozova in Bessarabia, and it is certain that the forester working in Gaiesti was informed of the terrible starvation and the violent measures of the Soviet authorities which killed 100 000 residents of Bessarabia.[28] The professional officer of the population registrar, despite having named himself, indicated in his resume that he could prove his identity with his military record, where he was listed as Vornicescu, and he admitted that he used to live in Lozova with the surname Ciocan and that all his family members who stayed there also use the surname Ciocan, the officer states that *"Vornicescu's name is a distorted name, because even at the present time he cannot prove the origin of this name with any documents, his real name is Ciocan."*[29] These unclear cases made the related persons suspicious in the eyes of the Securitate.

The acquisition of personal identity,[30] or more precisely, its arrangement, can be linked to the year 1950, as it was then that the process of personal identification was centralized and placed under the authority of the Ministry of the Interior. Therefore, it is not surprising that the starting point of the Securitate's operational checks conducted in the 1960s and 1970s, in relation to establishing identity, is in every case related to a 1950 measure.

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27 On June 22, 1941, the German and Romanian armies in the north and the Romanian army in the centre and south crossed the river Prut and entered the territory of the SSR of Moldova. On July 26, 1941, the border was restored until June 28, 1940 through the conquest of White Fortress.

28 Cașu, Igor: *Dușmanul de clăsă: represiuni politice, violență și resistance în R(A)SS Moldovenească, 1924–1956*. [The enemy of the social classes: political repression, violence and resistance in the Moldavian R(A)SS, 1924-1956.] Cartier, Chișinău, 2014, pp. 189-210.

29 ACNSAS Fond FCX 0000968 p. 51.

30 After the establishment of the communist system, the order of personal documents, regulated by Decree 2072/1950, changed. According to § 40 of the aforementioned decree, the people's councils were authorized to maintain and amend the civil registry records through the General Directorate of the Militia, under the guidance and control of the Ministry of the Interior. The procedure for the issuance, handling and registration of documents will not change even after the introduction of Decree 278/1960. For more details see: N.a.: Evidenţa persoanelor în România (istoric), LegeAZ.

Gheorghe Niculina, who was born in 1922 in the village of Divizia (Cetatea Alba, formerly Basarabia, part of the Kingdom of Romania, after the Second World War, the Moldavian SSR-Soviet Union) has a similar inspection history, who was inspected as one of the citizens from the "Apolodor" states[31] in the 1960s. in the second half. Her case begins with an anonymous report, when the anti-espionage units of Targoviste UM 01303 (Targoviste 1st Tank Regiment) (the local anti-espionage unit of the Directorate of Military Intelligence of the Security Service) received an anonymous letter in which the woman raising three children was called a Russian, who only subleases part of his property to Romanian officers, and often visits the USSR. The anonymous whistle-blower practically accused Gheorghe Niculina of espionage.[32] From the autumn of 1967, agent reports ("agent Adriana") were received for the counter-espionage of the military unit (Targoviste 1st Tank Regiment) that Ms. Niculina *"…knows a lot of information about the unit, Capt. Radut Florian tells her, who is 1st Tank Regiment platoon commander. ..."*[33]. In addition to the involvement of additional agents, the reconnaissance activity also involved the installation of technical devices (mail checking, wiretapping).

In addition to the military counterintelligence (Directia Contrainformatii in Armata – DIA), the Securitate's III Counterintelligence Directorate (Directia Informatii Interne – Directia a IIIa) became involved in the roll-up of Niculina's activities. By all means, they were trying to *"identify the suspicious connections of those mentioned above during trips to Bucharest",*[34] which in reality were completely natural trips, since a passport and visa were needed to travel to the Moldovan SSR. Niculina was followed and watched by the Romanian communist secret service until 1977 (archival records show the proceedings against him). Niculina, who was demonstrably in the focus of the Securitate in 1967, produced numerous secret service materials, but their probative value, as a commander supervising the operation stated in his instructions to his subordinates (majors Toma and Gheorghiu) working on the case in April 1969: *"From all the data collected ...() it seems that you opened the file of (named – addition of the author) without checking and confirming the initial data, no operational aspects have arisen at the moment. He was born abroad, visits his parents, talks, writes with them, brings things, does business and loves the men – officers, around whom he revolves (...)."*[35] At the end of the evaluation, the regional commander of the military counterintelligence stops the procedure in a firm order, with the stipulation, so that the military counterintelligence officers dealing with Niculina coordinate with the Dâmbovița Provincial Securitate command.

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31 Operational code name for socialist member states, which was periodically assigned this code name by a designated organizational unit of the Securitate.

32 ACNSAS Fond FCX 0000968 p. 152.

33 ACNSAS Fond FCX 0000968 p. 147.

34 ACNSAS Fond FCX 0000968 p. 150.

35 ACNSAS Fond FCX 0000968 p. 147 v.

Thus, the military counterintelligence line of the case was closed, however, the III Counterintelligence Directorate continued the case, since a person like Niculina, who after returning from the Soviet Union (sic) reported that *"...the citizens there talk about when comrade Ion Gheorghe Maurer[36] was in the Soviet Union, he would have asked the Soviet leadership for Bessarabia, and they replied that it would not be given. After that, the leadership of the Soviet Union took the measure of telling the people the «truth» at party and citizen meetings, where they openly told them what the Romanians wanted, and the speakers at the meetings said suggested that they should want to go to Romania, if must, they would fight to the last drop of blood. He also participated in such gatherings, because he realized that they were telling the truth there, not like us."*[37]

Two facts can be ascertained from the report of the agent with the pseudonym "Romeo": that Prime Minister Ion Gheorghe Maurer discussed the issue of Bessarabia with the Soviet leadership, and that the Soviet authorities started extensive propaganda in this regard. Historical analyses of the former event have shown that during 1964, at the leadership level of the two states (Chivu Stoica, member of the RKP PB and Prime Minister Ion Gheorghe Maurer), the former negotiated with A. Mikoyan with the Chairman of the Presidium of the Supreme Council of the Soviet Union between May 26 and June 9, 1964, and on July 7-14 between Alexey Maurer. Among other things, he discussed the issue of Bessarabia with Kosygin. According to the Soviet side, Romania ignores the liberating role of the Soviet army, and as a result, they create an anti-Soviet atmosphere and even support nationalist manifestations.[38]

Finally, by 1977, the officers of the III Counterintelligence Directorate produced more than 60 reports on the case, the last one in November 1977, from which we learn that an undercover officer contacted Niculina under the pretext of talking about the officer who was staying at her apartment. During the disguised data collection operation, no information of secret service value was obtained, and nothing proves this better than the fact that the secret service work lasting almost a decade – even though there was a sober professional warning at an early stage that there was no suspicion of espionage in the case – was completely unnecessary for years was conducted against him, so that it was finally brought up on his personnel file that the procedure was initiated because he *"maintains relations with soldiers from Tirgoviste, knowing certain military activities. From time to time, he visits the Soviet Embassy in Bucharest. He and his daughters often travel to the Soviet Union (sic! Moldova SSR -*

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36 Ion Gheorghe Maurer (1902-2000) communist politician, lawyer. In 1957-1958, as a member of the close entourage of the Romanian Party General Secretary Gheorghe Gheorghiu-Dej, he was the Minister of Foreign Affairs of Romania, in 1958-1961, as the President of the Great National Assembly, he was the Head of State of Romania, and in 1961-1974, he was Prime Minister.

37 ACNSAS Fond FCX 0000968 p. 148.

38 CEBOTARI, Svetlana: Relațiile moldo-române în perioada anilor 1945-1990. [Moldovan-Romanian relations during the years 1945-1990.] In: COROBCA, Liliana (ed.): *Panorma comunismului în Moldova sovietică, Context, surse și interpretări*. [Panorama of communism in Soviet Moldova, Context, sources and interpretations.] Editura Polirom, Iaşi, 2019, pp. 724-737.

author's comment). He can be suspected of gathering information for the purpose of transmission."[39] The secret service tools and procedures that have been used for years in relation to Niculina have failed, as the operational technical section of the mentioned personnel card reads: *"He suspects that listening devices have been placed in his phone(...)"*, and in the case of surveillance, *"he believes that they are being followed, sometimes they check (...)*" and under the rubric of checking mail, it was noted that *"(...) suspects that their correspondence is being checked". "The results of the ten years of secret service work were summarized on the mentioned document, that is (...) the original suspicion was not substantiated"*, which ultimately led to *"the material being filed as inconclusive"*.[40] In the meantime, the case was transferred to the UM 920/A unit, which also confirms the custom that once someone is registered by the secret service, they remain in the register for a surprisingly long time.

There are hundreds of cases in the records of the specialized counterintelligence unit of the Dâmbovița County Securitate from the 1970s and 1980s alone, and in the majority of cases, either Romanians from the former Romanian territories (Bessarabia, Northern Bukovina, Southern Dobrudja) or their descendants were involved in the secret service under procedures. This is evidenced by the filing volume, in which the cases/dossiers of the Dâmbovița County Counter-Espionage Unit 920/A against socialist states and the legally continuous counter-espionage county unit 0110 were entered from the mid-seventies to the mid-80s. Based on the data in this file, it can be clearly outlined in what directions the mentioned county counterintelligence worked, how many agents it had, which officers and what cases and lines they worked on during the mentioned period.[41]

Comparing the above cases with the reminiscences of Colonel Ion Burdulea, who was assigned to the organizational unit against socialist states in 1973, and was appointed to the Dâmbovița County (UM 920/A) unit from 1975, and who in his reminiscences presents cases from his professional career that are recognizable, can be identified in the files of the previously mentioned organizational unit kept in the CNSAS, since 90 pages[42] of material handled by him were found from these and based on which the reader gets the impression that the main characteristic of the officer's work was that he, the state security officer of the field, was such worked in the cases of citizens who were not born in the territory of Romania at the time and had family and friendly relations with citizens of the neighbouring Soviet Union (Moldovan SSR, Ukrainian SSR (Bukovina), and also acted against persons who contacted the At the Soviet embassy, at their workplace, they contacted – since they knew Russian – the specialists delegated from the Soviet Union to factories in Romania. Retired colonel Burdulea repeatedly mentions that starting in 1973, more than a hundred "professionals" from the Soviet Union stayed in Dâmbovița County for a long time to provide technical assistance for the assembly and commissioning of equipment imported from the Soviet Union.

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39 ACNSAS Fond FCX 0000968 p. 161.
40 ACNSAS Fond FCX 0000968 pp.161-161v.
41 ACNSAS Fond FCX 0000969 pp. 1-144.
42 ACNSAS Fond FCX 0000969 pp. 163-253.

There are indications from some of them that they have done study work on some Romanian citizens in order to recruit them as "agents".[43] Colonel Burdulea also states that after the Soviet advisers were withdrawn from Romania at the request of Gheorghiu-Dej, the "persons who fled the Soviet regime" who requested the restoration of their documents (citizenship - author's note) as former citizens, came under the crosshairs of state security and were even checked, as they were suspected of, that Soviet state security would have infiltrated Romania in this way. According to Burdulea, no person belonging to this category was identified in Dimbovita county who would have been in the service of the Soviet intelligence services.[44]

The archival sources only show that in the executed cases there were suspicions rather than realized, exposed espionage cases. In no case was the handing over of secret document(s) documented, no arrest(s) or successful house search(s) during which spy equipment was seized. Before and during the revolutionary events of 1989, there were no materials that could be supported by archival sources that would indicate a Soviet threat or a well-founded intelligence intervention.

On the other hand, Burdulea dedicated a separate chapter to the beginning of the end in his retrospective volume, and places this period between 1985 and 1989,[45] a chapter in which he suggests that the Romanian state security officers had guessed the end of the end of the communist political system. This is also thought-provoking, since in the light of the archival sources, the question arises as to what the anti-espionage agents of the Securitate could and did uncover, since on June 11, 1986, an order was received from the command of the Securitate's independent anti-espionage organization (UM 0110), what exactly needs to be done is "*the identification and control of the descendants of all enemy categories from the professional jurisdiction, primarily residents, former agents, and those who were previously for study or service purposes (stayed in the territory of Romania) and suspects, each case according to importance (must be documented), education, workplace, access to state secrets, according to the frequency of travel in the area of interest, must be subject to an operative procedure.*"[46] This instruction also reflects the most important feature of the Romanian state security at the time, the strong central control, that is the instruction system that basically determines the daily routine, against whom and what kind of secret procedure should be initiated. This also means that individualization in the Securitate organization is unlikely to have been possible.

On February 16, 1989, an annual national evaluation meeting was held in Bucharest with the participation of the Securitate's central and county level 0110 organisations' (defence against socialist states) leaders.

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43 BURDULEA, Ioan: *"Vânătoarea de spioni." Amintirile unui ofițer de informații din celebra UM110 – Unitatea anti-KGB.* "Spy Hunt." [Memoirs of an intelligence officer from the famous UM110 – Anti-KGB Unit.] Eveniment si Capital, Bucuresti, 2022, p. 143.

44 Ibid. pp. 134-135.

45 Ibid. pp. 261-268.

46 ACNSAS fond FCX 0001132 p. 39.

The head of the Securitate, colonel-general Iulian Vlad and his political deputy, major-general Ioan Marcu, were present at the leadership meeting. According to the situation assessment report, in the framework of a short overview, the most important problems with the characteristic of the neighbouring states was presented, and the case of agents operating undercover in Romania who carried out provocative or subversive acts was discussed.

At this meeting, it was deemed that the secret service activities of the "Făgăraș" states (Warsaw Treaty states) were coordinated by "Rodna" (Soviet Union). In support of this statement, an example was given that an unidentified radio transmission, not characteristic of personal contact, was detected in the representative office of such a state (embassy representation – author's note). the Romanian bodies. At the meeting, it was raised anonymously that the activities of the diplomats of some socialist states to distribute materials with hostile content were documented.

The report on the meeting describes in detail the methods by which counterintelligence against socialist states works and their shortcomings and discusses, among other things, that 20% of the diplomats subject to vetting cannot actually be controlled by counterintelligence agencies. According to the evaluation, evaluating the practical results of the preventive activities of the bodies, it was established that the specialized units did not meet the expectations. General Niculicioiu Victor, the commander of the anti-espionage unit against socialist states, assessed the situation as saying that in 1989 the county's territorial divisions performed below their capabilities. In the summary report, department 0110 in Brăila County was named as the weakest performing unit.

The issue of tourists, visiting relatives and small border traffic was discussed separately, as well as the operational processing of these areas, and the meeting came to the conclusion that the problems that have arisen can only be solved effectively in cooperation with other departments.[47] The report does not mention a single word about the increase in the number of Soviet tourists, the increase in the activity of Soviet officers present under cover, nor about the expected occurrence of any extraordinary secret service phenomena or other extraordinary events.

Examining other counties as well (Brăila,[48] Prahova,[49] Vaslui[50]), it can be established that even in December 1989, the increase in the activity of the Soviet spy services was not documented in the concerned counties.

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47 ACNSAS Fond 0110 0002444 pp. 78-79.

48 FCX 0002444 on the activities of unit 0110 of Brăila county

49 FCX 0002742/3 Fond 0110 Dosar problema "Contraspinaj sovietic, fosti rezidenti, descendenti" (judetul Prahova).

50 FCX 0002633 Fond 0110 Vaslui county about the activities of unit 0110

The archival sources rather show that in the mentioned counties even during the days of the revolution, on December 16-17-18-19, the meetings with the agents and the reports were made of the incoming and outgoing Soviet ”nationals” (sic!) (Bessarabian – author's note) about Romanian citizens and agent briefings were held regarding their future activities.[51]

For example, the annual activity report of the Olt County Securitate unit 0110 dated December 19, 1989 (!) was submitted to the central bodies in Bucharest with the usual wording and content/structural structure in previous years. *“The 1989 report of Department 0110 was realized in an atmosphere of patriotic strengthening, deep satisfaction, and high esteem shown by the communists. It is still a political event of the recent past for our entire people – the party's XIV. Its congress, which is an event of extraordinary importance from the point of view of the country's economic and social development, is under its overwhelming influence(...)”*.[52]

The tumultuous introduction continued with the praise of Nicolae Ceauşescu, and then, according to the customs, an accurate picture of the number of agents was given, as well as evaluations of the various counterintelligence areas with detailed data. So also, about the fact that “Rodna” (the code name of the Soviet Union within counterintelligence), in 1989, covered the entire county of Olt with 25 agents in such a way as to secure the spy centres operating in the territory of the county. These centres were actually companies to which Soviet specialists arrived to carry out and supervise certain projects (installations, constructions, commissioning). The organizers of the exhibition and the employees of the commercial representation were also considered spies. All in all, representatives of the Soviet Union visited Olt County 77 times throughout the year.

The annual report concluded with the assignment of tasks for the first quarter of the following year, in which only “chewing gum” texts on general efficiency improvement were formulated.[53]

All in all, it can be said that since the 1960s, the Securitate's counter-espionage bodies have had the constant task of detecting and preventing the activities of the Soviets in Romania. Within that, serious efforts were made to systematically register, search for, check on, and recruit Romanian-speaking Soviet citizens from outside the 1947 national borders (Bessarabia, Bukovina) or those who had relocated in the meantime. All this happened in order to create cases, depending on the political relationship between Romania and the Soviet Union, and to prepare summarizing materials that satisfy and support the political (pre)conception of the Romanian party leadership.

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51 FCX 0002742/3 Fond 0110 Dosar problema ”Contraspinaj sovietic, fosti rezidenti, descendenti” pp. 436-436 v.

52 ACNSAS Fond 0110 0001252 p. 152.

53 ACNSAS Fond 0110 0001252 pp. 152-155.

Conclusion

This processing work sheds light on the fact that the Securitate had been systematically documenting the subversive activities of the enemy's spy services, ordered from above, since 1986, and had regularly collected data, indicating the Soviet intervention.

Based on the materials of the 0110 territorial units of the mentioned counties (Dâmbovița, Prahova, Brăila, Vaslui), it can be stated that the demand for news, in the 1960s and 1970s, remained unchanged until 1989; that is Romanians with roots in Bessarabia remained in the registers, and even those who relocated, and also their refuged descendants were included in the Romanian state security databases, as persons to be checked. The control of people leaving and entering the Soviet-Romanian border section, the close monitoring and control of the "(spy)" activities of Soviet citizens working in Romania fell under the same secret service approach, as the control of Romanians of Bessarabian origin and their descendants.

Such a fixation of the Securitate's activity means a kind of stagnation of the organization, since it seems from the sources that it did not react to the geopolitical changes of the 80s, due to the inertia of the organizational culture, or to the fact that the organizational structure dealing with the socialist states within the Securitate had not attributed a greater importance to information, indicating geopolitical changes, and also interpreted and distorted the obtained information, according to the usual analysis pattern; thus, meeting the expectations of the highest political leadership. This is confirmed by the instruction of Iulian Vlad, the commander of the Securitate, dated November 20, 1989, which still stated that the primary and most important task was to ensure "thorough knowledge of enemy plans and effective action to neutralize hostile activities against the country".[54] This is the task of the Securitate's counterintelligence and the entire organization.

Bibliography:

ALDEA, Patriciei González: *Helsinki 1975. Începutul sfârşitului. Degradarea regimului din România şi singularitatea lui în blocul de Est (1975-1990)*. Curtea Veche, Bucureşti, 2008.

APARASCHIVEI, Sorin: *UM 0110 – Contraspionaj tari socialiste (anti-KGB). Infiintarea si primi ani (1963-1973)*, Historia, n.d. Online: https://historia.ro/sectiune/general/um-0110-contraspionaj-tari-socialiste-567294.html (Download time: 10/09/2022)

BANU, Florian – ȚĂRANU, Liviu: *Securitatea 1948-1989, Monografie* vol I., Editura Cetatea de Scaun, Târgoviște, 2016.

BANU, Florian – ȚĂRANU, Liviu*: Securitatea 1948-1989, Monografie vol I*, Editura Cetatea de Scaun, Târgoviște, 2016.

[54] ACNSAS Fond FCX 0001132 mapa cu ordine orinetari ale unitatii centrale 4.

BURDULEA, Ioan: *„Vânătoarea de spioni." Amintirile unui ofițer de informații din celebra UM110 – Unitatea anti-KGB.* Eveniment si Capital, Bucuresti, 2022.

CAȘU, Igor: *Dușmanul de clăsă comes in detail about the phenomenon of RSSM starvation after the Second World War. Represiuni politice, violență și resistance în R(A)SS Moldovenească, 1924–1956*, Cartier, Chișinău, 2014.

CEBOTARI, Svetlana: Relațiile moldo-române în perioada anilor 1945-1990. In: COROBCA, Liliana (ed.): *Panorma comunismului în Moldova sovietică, Context, surse și interpretări*. Editura Polirom, Iaşi, 2019, pp. 724-737.

CONSTANTINIU, Florin: *O istorie sinceră a poporului român*. Editura Univers Enciclopedic, Bucureşt, 2011.

CROITOR, Mihai: *In umbra Kremlinului Gheorghe Gheorghiu-Dej si geneza declaratiei din aprilie 1964.* Editura Mega, Cluj-Napoca, 2012, Online: https://www.academia.edu/3327808/In_umbra_Kremlinului_Gheorghe_Gheorghiu_Dej_si_geneza_Declaratiei_din_Aprilie_1964_In_the_Shadow_of_Kremlin_Gheorghe_Gheorghiu_Dej_and_the_genesis_of_the_Declaration_issued_in_April_1964%20%20 (Download time: 28/09/2023)

GARTHOFF, Raymond: *When and Why Romania Distanced Itself from the Warsaw Pact*. CWIHP Bulletin, 1995/5.

GIURESCU, Dinu C. – ŞTEFĂNESCU, Alexandru: Ilarion Ţiu, *România şi comunismul. O istorie ilustrată,* Editura Corint, Bucureşti, 2010.

HARRINGTON, Joseph F.: *Relaţii romano-americane: 1940-1990*, Editura Institutul European, 2002.

N.a.: Evidenţa persoanelor în România (istoric), LegeAZ, n.d. Online: https://legeaz.net/dictionar-juridic/evidenta-persoanelor-romania-istoric (Download time: 10/09/2022)

OPREA, Marius: ISTORIA FARA PERDEA In 1945, rusii au negociat cu pistolul pe masa, iar romanii cu inteligenta: un avocat roman a salvat sute de mii de Basarabeni si bucovineni de la deportare. URSS, n.d. Online: https://monitoruljustitiei.ro/profesii-juridice-si-retele-judiciare/avocati/istoria-fara-perdea-in-1945-rusii-au-negociat-cu-pistolul-pe-masa-iar-romanii-cu- intel-20475874/ (Download time: 10/09/2022)

PACURARIU, Tudor: Planul Nistru-1989, *Implicarea G.R.U. in Revolutia din Decembrie,* Editura Evenimnetul si Capital, Bucuresti, 2020.

RETEGAN, Mihai: *1968. Din primavara pana in toamna*, RAO, Bucuresti, 2015.

STAN, Mircea: *Programul de masuri active al KGB-GRU impotriva Romaniei (1964-1989).* Editura Militara, Bucuresti, 2021.

STEFUREAC, Remus Ioan: *Conflictul secret din spatele scenei România versus Rusia. 50 de ani de realități, mituri și incertitudini.* Editura RAO, București, 2015.

XENOFONTOV, Ion Valer: Romania in sistemul de sceuritatet europeana in secolul XX – inceputul secolului XXI. USM, Chisinau, 2021.

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THE BOUNDARIES OF OSINT

Abstract

OSINT (Open Source Intelligence), as a field of information gathering from open sources, is unintentionally pervasive in our lives. Its various methods make an indispensable contribution, not only to the work of individuals, but also to that of economic actors and even public organisations, including government bodies, responsible for security. However, their application also presents a number of advantages, but also a number of disadvantages. It has evolved beyond the use of traditional open sources and is closely linked to cyberspace and the various ICT solutions based on it. At the same time, their spread and their dynamic changes have a direct impact on OSINT methods. Taking into account the changes, caused by the effects of continuous development, the paper aims at reflecting on the boundaries of open source information gathering as a category.

Keywords: OSINT, intelligence gathering, development of OSINT, ICT, boundaries of OSINT, OSINT techniques, cyberspace, security, national security

Introduction

Nowadays, there is a significant literature on open source information gathering. It mainly describes the advantages of OSINT and its techniques. The reason is that this area of information gathering can be made available to anyone (be it a private individual, a company, an NGO or a public authority). However, its effective use can be based on a number of professional skills and knowledge that influence its effectiveness. In the security sector, its importance has increased, although there is traditionally disagreement in the existing literature on the real value of open information and its importance in supporting decision making.[1]

Where is the boundary of OSINT activity? We only need to look at the openly available resources, or even at the wide range of methods that, although widely available, requires specific knowledge. In many cases; some of these methods may be considered open as a solution available on the Internet, but they may still raise also legal or even ethical issues.

In the security sector, OSINT's approach is dual. On the one hand, in maximising the potential for information gathering, on the other hand, the issue of protecting data and information that may become openly available becomes important.

[1] BEST, Jr. R.A. – CUMMING, A.: Open Source Intelligence (OSINT): Issues for Congress, CRS Report for Congress, 2007, p. 2.

Thus, in addition to the professional aspects of gathering open information, there may also be aspects of protection and awareness of the information that is openly available, as well as the conscious use of information (influence, disinformation). Social media platforms are among the most important sources of today's main security threats. The information presented there has in itself a direct impact on security in many cases. Examples include the war between Russia and Ukraine, the recruitment activities of terrorist networks, or even the influencing of the masses.

Methods

This paper does not aim to define the boundaries between the open and secret collection of information. It is not intended to do justice to the views of different trends. It does, however, aim to draw attention to the grey area between the two phenomena. The reason is that, in our experience, the importance of economic actors and scientific research based on data has increased in recent years. This has brought to the fore the question of where the boundaries of OSINT might be drawn. Business actors have an interest in bringing as many information sources and information-gathering tools as possible under OSINT, so that they can use them legally. In contrast, the role of science is to debate these claims. It is also worth broadening the scope of the studies, because the effectiveness of business and public actors engaged in OSINT activities is directly influenced not only by the open availability of data, but also by the professional ability to process the sources and even the availability of the necessary financial resources. As a methodology, we intend to draw conclusions from the international literature on the subject and to highlight the extreme complexity of the issue in parallel with the emergence of artificial intelligence

Possible boundaries of the category

Over the past decades, OSINT has essentially evolved from its former narrow conceptual framework. With a little goodwill, almost anything that is open source and of relevance to its collector can be categorised here. In the background, however, the development of cyberspace and the protection of privacy rights have led to serious professional debates and research. The most important issues are the legality of data collection solutions, the problem of easily accessible and open data (is all data that is available on a public platform really public data?) and the question of mass data collection and processing. In fact, OSINT cannot only cover the collection of information through ICT solutions, but in our online world, open information gathering based on electronic sources has become almost unique.

It is clear from the literature that professional debates related to the legality and limits of OSINT methods have already come to the fore.[2]

[2] TEN HULSEN, Leonore: Open Sourcing Evidence from the internet – the protection of privacy in civilian criminal investigations using OSINT (OPEN-SOURCE INTELLIGENCE). *Amsterdam Law Forum*, 2020/2, p. 44.

A specific question is whether, in conducting OSINT in cyberspace, we should primarily look at openly available “sources” or at “methods” that only deeper technical (even hacker) knowledge can provide access to OSINT information and complex analysis. The question arises whether all solutions found on the Internet can be considered ethical and legal for the OSINT activity, since their open availability does not clearly mean that their use becomes “legal”. As explained by Eijkman and Weggemans in their study, this mode of intelligence gathering has side effects that need to be addressed. For the argument that social networking sites are public property and can be accessed by anyone does not override the fact that OSINT conducted in this way directly or indirectly affects someone's privacy and future opportunities.[3] As a consequence, the use of OSINT needs to be balanced, which requires developing accountability of organisations.[4] Open 'access' also needs to be considered in terms of what makes a solution to help interpret information open, in a cyberspace where hacking techniques are often freely available.

OSINT, according to its literature, has a number of traditional sources, usually highlighted as the media, public government data, professional and scientific publications, commercial data, grey literature and, with the advance of the information society, the Internet.[5] However, the traditional division of resources is very general, despite the fact that all types can be examined both horizontally and vertically. For example, consider the field of scientific publications. The history of the development of OSINT shows that its sources are scientific periodicals, which used to be published on paper and nowadays are published on digital media. In the past, subscribers to a periodical were sent it by post or anyone could buy it freely in a shop or borrow it from a library. Today, digital copies are available free of charge or by subscription from the publisher's website. However, there are also academic works that are commissioned, put out to tender or produced for the information of a limited interest group. Before the digital age, these publications remained unknown or difficult to access for the unauthorised. If an unauthorised person wanted to know about them, he or she could only obtain them by using some combination or lie. Of course, even in the online world, access to a publication can be restricted. However, some of them may eventually be leaked into the public domain by individual authorised users, even against the will of the authors, and it is considered an accepted OSINT practice to include those who are authorised to know by using a “fake” online identity.[6]

The same is true for personal data. In the past, if someone introduced themselves to people they knew, they knew their name, address, details and characteristics. It was therefore only possible to get to know him or her from the workplace, home, family, etc., and from the records of public bodies.

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3 EIJKMAN, Q. – WEGGEMANS, D.: Open source intelligence and privacy dilemmas: Is it time to reassess state accountability? *Security and Human Rights*, 2013/4, p. 293.

4 Ibid. p. 296.

5 UNGUREANU, Gabriel-Traian: Open Source Intelligence (OSINT). The Way Ahead, Journal of Defense Resources Management, 2021.

6 See e.g. BIALKSA, Aleksandra: Open Source Intelligence tools and resourcees handbook. 2020. p. 499.

Nowadays, the individual registers with a username on a social networking site. On the social networking site, the username and the real name become public data, the person and the username are linked on the site. Everyone likes to use easy to remember data, so we don't change our usernames. We use the same usernames on different sites, for different registrations. Even where the username does not appear on the public interface. We also don't want to make it public which online clothing store we shop at, which online services we use, which telephone service we use, or even which mail service we use. Yet, registrations can be collected by cloud username, because the online world treats this as public data. So, each account can be linked to a specific person. But this is not the nature of personal data.[7] The vast majority of the literature on OSINT is based on the assumption that what is available from the public domain is free to collect and free to manage.[8] However, in the case of personal data, public availability does not usually constitute a legal basis for processing.[9] In other words, the fact that a piece of data has been published in grey literature or can be found in some part of the online space does not in itself imply that it can be obtained through open-source information gathering. Consequently, we can agree with those analysts who rightly point out that legality does not necessarily derive from the information available.[10]

OSINT operators are not above all. They live and work under the jurisdiction of a state and therefore need to know and apply the legal framework.[11] In the view of the Berkeley protocol authors, OSINT activities must be in compliance with the law. Investigators need to be familiar with data protection laws and the details of the right to privacy, which is protected under international law. They emphasise that just because information is publicly available does not mean that its collection and use does not affect privacy. Data collectors should also be aware of the mosaic effect, which means that even anonymous public data can become vulnerable to re-identification if a sufficient dataset containing similar or additional information is processed.[12]

A similar finding was made for some areas of OSINT in a study by Hribar, Podbregar and Ivanusa in 2014. They found that, while OSINT is not considered a potentially harmful data collection method, an analysis of the use of OSINT quickly reveals that it is not as harmless as it appears.

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7 Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation – GDPR) paragraphs 6 and 7

8 See e.g. BAZZELL, M.: *Open Source Intelligence Techniquues: Resources for searching and analyzing online information – Eighth Edition.* Independently published, 2021. p. 5.

9 GDPR, (41)-(51)

10 N.a.: Berkeley Protocol on Digital Open Source Investigations. Human Rights Center, University of California, Berkeley/UN Office of the High Commissioner for Human Rights, New York and Geneva, 2022, p. 20.

11 Ibid. p. 19.

12 Ibid. p. 12.

Government agencies, organisations, groups and individuals sometimes use OSINT in ways that are not clearly legal.[13] In their study, they categorised information sources into four groups: white, grey, black and non-existent information. Of these, white information is fully accessible to the public. Grey information is that which is not widely published or disseminated but is legally accessible. Information that can only be obtained through specific channels includes preliminary forms, technical reports and standards documents, yearbooks, dissertations, working papers, data repositories, registers, private company reports, searchable photographic records, and personal records produced by non-profit organisations, educational organisations.

In the case of the grey zone, it was argued that the rules of normal logic could be followed, and the importance of the "fuzzy logic" of Loftifali Askar Zadeh was emphasised.[14] Fuzzy logic is different from classical logic. It deals with the formal principles of approximate reasoning, and considers exact reasoning as a constraint on decision making. The authors argued that using fuzzy logic, the grey zone of OSINT can have other values, such as legal-legal, or ethical-unethical, etc. Since OSINT can be on the boundary of legal and illegal, it is not always possible to determine exactly whether it is completely legal or completely illegal. Classical logic therefore makes OSINT always grey, unable to clearly define its boundaries and characteristics and consequently the threats to security. Fuzzy logic describes precisely those boundaries that classical logic cannot.[15]

Open vs. secret information gathering

The categorization of information gathering methods, the "INTs"[16], is a theoretical classification of data collection by source, that is we categorize data according to the source from which they are obtained and the way in which they are obtained. An important conclusion can also be clearly drawn, namely that intelligence methods do not select according to whether or not the information is attributable to a person.

We also know from the descriptions of the different intelligence methods, which have been explored with a high level of sophistication and scientific rigour, that a significant part of the information of interest to intelligence services (80-95%[17], as commonly mentioned in the literature) may be open source, and that a significant part

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13 HRIBAR, Gašper – PODBREGAR, Iztok - IVANUŠA, Teodora: OSINT: A "Grey Zone"? *International Journal of Intelligence and CounterIntelligence*, 2014/3, p. 533.

14 Ibid. p. 535.

15 Ibid. pp. 535-537.

16 JENSEN, Carl J. – MCELREATH, David H. – GRAVES, Melissa (ford.: Tamás Gábor): *Bevezetés a hírszerzésbe.* [Introduction to Intelligence.] Antall József Tudásközpont, Budapest, 2017. 4. fejezet

17 GIBSON, Stevyn D.: Exploring the Role and Value of Open Source Intelligence. In: HOBBS, C. – MORAN, M. – SALISBURY, D. (ed.): *Open Source Intelligence in the Twenty-First Century*: *New Approaches and Opportunities (New Security Challenges Series).* Palgrave Macmillan, New York, 2014, p. 10.

of the data obtained is personal data. Moreover, the different intelligence methods do not even distinguish from the data processing side which actor in the information chain the personal data relates to. It could be the identity of the source of the information providing the basic data, the agent acquiring the data, the images of soldiers in photographs, the metadata of intercepted phone calls, or even personal data extracted from processed social profiles. This in itself implies that a significant part of the use of intelligence gathering methods is already covered by the issue of secret information gathering.[18] In fact, there is an intelligence mode, HUMINT, which can be almost entirely linked to this. The only exception to the previous statement is Open Source Intelligence (OSINT). In the case of Open Source Intelligence, the use of any means of secret information gathering is conceptually unintelligible, as there is no question of covert behaviour or the use of covert methods.

Unlike intelligence gathering, secret information gathering is a legal institution, that is it is created by law, it cannot exist without law, its framework can only be defined by law and its limits can only be set by law. We also know from the jurisprudential development of secret information gathering that its existence arises from the protection of fundamental human rights and is closely linked to them. It is primarily a legal institution designed to protect the rights of the individual and is derived from them, and is intended to represent a limitation on the power of the state.[19] It follows, however, that the collection of secret information cannot be regarded as one of the branches of intelligence gathering. It has legal relevance only if the collection of information in the intelligence branches involves the processing of data on individuals.[20]

If we examine the issue from the perspective of the intelligence services of the states, we can start from the assumption that there are two possible ways of gathering information by the services: open source information gathering and secret information gathering. In reality, however, there are complex manifestations. For example, if a European national security agency acquires commercial satellite imagery from open source, it is using IMINT as an intelligence methodology through open source acquisition. If the same content image was captured by a state national security agency's drone for its own use, it is conducting IMINT using a classified intelligence gathering tool. It is also conducting classified information collection if it purchases the commercial satellite imagery through its covert company. The example shows that it is the methodology, not the data, that determines the distinction between the two forms of information collection.

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18 Identifying covertly applicable instruments, e.g. Spain, ORGANIC LAW 2/2002 of 6th May regulating a priori judicial control of the Centro Nacional de Inteligencia (National Intelligence Centre); Italy, Law No. 124 of 3 August 2007; Croatia, Decision Promulgating the Act on the Security Intelligence System of the Republic of Croatia by the Croatian Parliament at its session on 30 June 2006; Netherlands, Wet op de inlichtingen- en veiligheidsdiensten 2017.

19 N.a.: The Johannesburg principles on national security, freedom of expression and access to information. Article 19, Global Campaign for Free Expression, London, 1996.

20 GDPR (50) pont

As a result of the previous considerations, it can therefore be said that the task of the law is not to regulate each intelligence gathering method in isolation, but to define the secret information gathering within each intelligence gathering method. At the same time, however, it can also be stated that it is still true that the legal regulation of open-source intelligence gathering by intelligence agencies is typically superficial in the various legal systems.[21] States are primarily concerned with the issue of secret information gathering, issuing regulations at national level.

Conclusion

Thanks to the cyberspace that pervades our days, OSINT solutions are now part of our lives. But beyond the benefit of rapid access to open information, their deeper, targeted application raises a number of questions. These essentially concern the issues of data usability and personal data, indicating that OSINT activities and data usability have a number of moral and legal limitations beyond the technical possibilities. OSINT as an intelligence branch or method, despite the often mentioned "grey zone" at its borders, can be distinguished from the areas of secret information gathering, regulated by law, despite the fact that the information gathering possibilities and uses offered by cyberspace can make it extremely complex.

A common perception of OSINT is that it is a cost-effective activity, but this is only partially true. In the era of mass information access, the real value may no longer be the quantity of information, but the extraction of meaningful information from it. However, this requires professional skills, resources and the development of an expert and analytical base. Just think of the professional businesses that act as information brokers, helping both business and government. They may be involved in analysing and interpreting information, or even in providing the credibility that is essential for rapid decision-making. In addition to its often-mentioned advantages (e.g. cost-effectiveness, timeliness, secure application - the possibility of risk-free "research") and to disadvantages (e.g. information dumping, language skills, time factor), the issue of information reliability has become a major concern.

On OSINT information platforms, we may also be confronted with the phenomenon of pseudo-news/misinformation/disinformation, which is becoming more and more prevalent in our digital information environment. However, the filtering of this open information has also become an important task, due to its security implications. Open data that can be massively collected increase the phenomenon of profiling, in particular the possibilities for data collection (e.g. trend analysis) by global business actors. This is where the further development of the information technology environment, the increasing use of artificial intelligence and data, the text mining technologies come to the fore. At the same time, the unclear boundaries of OSINT also create opportunities, as the ever-expanding free resources available in open, digital form create significant market demand for OSINT capabilities.

[21] EIJKMAN – WEGGEMANS 2013, p. 296.

Understandably, business actors are inevitably moving towards OSINT opportunities that can increase their efficiency and even give them a competitive advantage in the grey area.

Bibliography:

BAZZELL, M.: *Open Source Intelligence Techniquues: Resources for searching and analyzing online information – Eighth Edition.* Independently published, 2021.

BEST, Jr. R.A. – CUMMING, A.: Open Source Intelligence (OSINT): Issues for Congress, CRS Report for Congress, 2007. Online: https://sgp.fas.org/crs/intel/RL34270.pdf (Download time: 10/02/2024)

BIALKSA, Aleksandra: Open Source Intelligence tools and resourcees handbook. 2020. Online: https://i-intelligence.eu/resources/osint-toolkit (Download time: 10/02/2024)

EIJKMAN, Q. – WEGGEMANS, D.: Open source intelligence and privacy dilemmas: Is it time to reassess state accountability? *Security and Human Rights*, 2013/4, pp. 285-296. https://doi.org/10.1163/18750230-99900033

GIBSON, Stevyn D.: Exploring the Role and Value of Open Source Intelligence. In: HOBBS, C. – MORAN, M. – SALISBURY, D. (ed.): *Open Source Intelligence in the Twenty-First Century*: *New Approaches and Opportunities (New Security Challenges Series).* Palgrave Macmillan, New York, 2014, ISBN 978–0–230–00216–6, https://doi.org/10.1057/9781137353320,

HRIBAR, Gašper – PODBREGAR, Iztok - IVANUŠA, Teodora: OSINT: A "Grey Zone"? *International Journal of Intelligence and CounterIntelligence*, 2014/3, pp. 529-549. DOI: 10.1080/08850607.2014.900295

JENSEN, Carl J. – MCELREATH, David H. – GRAVES, Melissa (ford.: Tamás Gábor): *Bevezetés a hírszerzésbe.* Antall József Tudásközpont, Budapest, 2017. ISBN: 9786155559198

N.a.: Berkeley Protocol on Digital Open Source Investigations. Human Rights Center, University of California, Berkeley/UN Office of the High Commissioner for Human Rights, New York and Geneva, 2022.

N.a.: The Johannesburg principles on national security, freedom of expression and access to information. Article 19, Global Campaign for Free Expression, London, 1996. ISBN 1 870798 89 9
https://www.article19.org/data/files/pdfs/standards/joburgprinciples.pdf (Download time: 10/02/2024)

TEN HULSEN, Leonore: Open Sourcing Evidence from the internet – the protection of privacy in civilian criminal investigations using OSINT (OPEN-SOURCE INTELLIGENCE). *Amsterdam Law Forum*, 2020/2, pp. 3-48. DOI: 10.37974/ALF.353

UNGUREANU, Gabriel-Traian: Open Source Intelligence (OSINT). The Way Ahead, Journal of Defense Resources Management, 2021. Online: https://www.academia.edu/74627992/OPEN_SOURCE_INTELLIGENCE_OSINT_THE_WAY_AHEAD (Download time: 10/02/2024)

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation – GDPR)